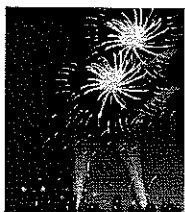


APPLICATION # _____

DATE RECEIVED _____

RECEIPT NUMBER _____

AMOUNT PAID _____



CITY OF ROCHESTER, MINNESOTA

**APPLICATION FOR THE SALE OF FIREWORKS
PERIOD OF MAY 1, ____ TO APRIL 30, ____**

Name of Applicant _____
(FIRST) (FULL MIDDLE) (LAST)

Home Address _____

Name of Business or Site of Sales _____

Business Address _____

Telephone (Business): _____ Home Phone _____

Date Birth _____ Age _____

Manner and Place of Each Type of Fireworks Offered for Sale

Type and Quantity Lbs.) of each Type of Fireworks Kept on Site

REQUIRED ATTACHMENTS: The following attachments must be included with this application:

1. Permit Fee - \$80.00 (\$25.00 PAYABLE TO CITY CLERKS OFFICE - \$55.00 PAYABLE TO FIRE DEPT).
2. Insurance Certificate in the amount of \$1,000,000.00 per occurrence.
3. Names and ages of all persons selling Fireworks under this Permit.

I/We understand that persons selling and purchasing fireworks must be at least 18 years of age.

I/We understand what constitutes legal fireworks and what are illegal under state law

Signature of Applicant (or agent)

Make Check or Money Order payable to the CITY OF ROCHESTER and return to the OFFICE OF THE CITY CLERK, Rm. 135, 201 4TH ST SE, ROCHESTER, MN. 55904

FOR OFFICE USE ONLY

FIRE DEPARTMENT:

Applicant has completed application for a Fire Department Permit for retail sales of fireworks pursuant to Minnesota Statute 624.20 (C) and RFC Article 78. Final approval is pending satisfactory completion of an on-site inspection by a representative of the Rochester Fire Department.

Signature of Fire Chief: _____ Date: _____

PLANNING DEPARTMENT:

This is to certify that the premises on which Fireworks will be sold is in accordance with the Rochester

Zoning Code:

Signature: _____ Date: _____

POLICE DEPARTMENT:

The sale of the listed fireworks at the location shown on this application is hereby approved, subject to the following conditions if any:

Signature of Police Dept.: _____ Date: _____

Signature of Issuing Authority: _____ Date: _____

Permit No. _____

RIGHTS OF SUBJECTS OF GOVERNMENT DATA

LICENSE AND PERMIT DATA

"TENNESSEN WARNING"

In accordance with the Minnesota Government Data Practices Act, the City of Rochester is required to inform you of your rights as they pertain to the information collected about you. Public information is that information which is available to the general public; Private information is that information which is available to you, not to the public; and confidential information is that information which is not available to you or the public. The information we collect from you is either public or private. The separation of that information is as follows:

PUBLIC – NAME AND ADDRESS OF APPLICANT(S) AT THE TIME OF APPLICATION

PRIVATE – SOCIAL SECURITY INFORMATION, BIRTH DATE INFORMATION

(MS 13.355 & 13.37(a))

The information collected and required from you is to determine your eligibility for a City of Rochester License or Permit. If you do not supply the required information, the City of Rochester will not be able to determine your eligibility.

The dissemination and use of the private data we collect is limited to that necessary for the administration and management of the licensing program. Persons or agencies with whom this information may be shared include:

CITY, COUNTY, AND STATE PERSONNEL INVOLVED IN DETERMINING YOUR ELIGIBILITY, CONTRACTED PUBLIC AUDITORS, AND THOSE INDIVIDUALS TO WHOM YOU GIVE YOUR EXPRESS WRITTEN PERMISSION.

Unless otherwise authorized by state statute or federal law, other government agencies utilizing the reported private data must also treat the information private.

You may wish to exercise your rights as contained in the Minnesota Government Data Practices Act. These rights include:

**THE RIGHT TO SEE AND OBTAIN COPIES OF THE DATA MAINTAINED ON YOU.
THE RIGHT TO BE TOLD THE CONTENTS AND MEANING OF THE DATA.
THE RIGHT TO CONTEST THE ACCURACY AND COMPLETENESS OF THE DATA.**

To exercise these rights, contact the City Clerk's Office, Room 135, City Hall, Rochester, Mn. 55904

I HAVE READ AND UNDERSTAND THE ABOVE INFORMATION REGARDING MY RIGHTS AS A SUBJECT OF GOVERNMENT DATA.

(Signature of Data Subject)

(Date)

White Copy - City Clerk's Office

Buff Copy - Applicant

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FIREWORKS FACT SHEET

Recent changes to Minnesota Statute 624.20 now allow for the public sale, possession and use of certain types of consumer fireworks. Effective April 30, 2002.

What Fireworks are now Legal in Minnesota?

- Sale, possession and use of some non-explosive and non-aerial consumer fireworks is now permitted in Minnesota at any time of the year.

Example of Legal Fireworks:

Sparklers with not more than 100 grams of explosive mixture per item.
Non-explosive and Non-aerial devices containing 75 grams or less of chemical or explosive mixture per tube or 200 grams or less for multiple tubes.
Novelty Items such as "snakes", glow worms, noisemakers, party poppers, string poppers, snappers and drop pops, each containing not more than 25/100 grams of explosive mixture.

- These consumer fireworks cannot be used on public property. (i.e. parks, streets, roadways, alleys, schools, government property etc.)
- Purchasers of these fireworks must be at least 18 years old and retailers must verify by checking photo identification.

What is Still Illegal?

It is still illegal to possess, offer for sale or use explosive and aerial fireworks intended for public display. Public display of fireworks and pyrotechnic indoor displays are still required to be conducted by Certified Operators only, under permit from the City Clerk and the Fire Department.

Prohibited Fireworks Include:

Firecrackers of any size, including lady fingers, black cats, M80's and cherry bombs.
Aerial devices such as bottle rockets, sky rockets, missiles, roman candles, aerial spinners, planes, parachutes, UFOs, chaser, mines, mortars and aerial shells.

Any of the above devices are not permitted to be purchased, sold, possessed, used or transported except by a certified operator in accordance with MSS 624.20, under a legally issued permit by a municipal government or City Clerk.

Questions should be directed to the State Fire Marshal Division by email to firecode@state.mn.us or by calling 621-215-0500. Additional information is available at www.fire.state.mn.us

In Rochester, contact the City Clerk's Office at 507-328-2900 or the Rochester Fire Department, 507-328-2800

Retailer Information for Fireworks

The recent Minnesota law change would allow some, but not all, consumer fireworks to be sold and used in Minnesota. Prior to purchasing fireworks items for resale to the general public retailer should:

- Check with the local governmental agencies for specific requirements that may apply (i.e. business licenses, or zoning permits). No permit or license is necessary from the State Fire Marshal Division for sale, possession or use of fireworks exempted from Minnesota Statute 624.20
- City of Rochester requires a permit approved by the City Council. Applications must be made with the City Clerk's Office. A fire permit for "fireworks" (\$55 fee) must be obtained from the Fire Department. Departmental approvals must be obtained from the Fire and Police departments. A Conditional Use Permit is required from Planning and Zoning for parking lot or road-side sales.
- Be familiar with state fireworks laws, especially Minn Stat. 624.20 (c). Strict compliance is encouraged and expected.
- Purchases of legal fireworks must be at least 18 years old. Minn. Stat. 624.20 (c) requires that retailers verify age through presentation of photographic identification by the purchaser.
- Be familiar with the fire Code requirements, which applies to and regulates the storage, use and handling of all fireworks.
- Smoking is not allowed in areas used for retail sale or storage of fireworks in accordance with the Fire Code, Section 1109.4.1.
- There are no provisions in Minn. Stat. 624.20 (c) that limit or prohibit advertising or mail order sales for legal fireworks. However, it is still illegal to advertise fireworks that are not legal for personal sale, possession or use in Minnesota.
- Operating outside the exception provided by Minn. Stat 624.20 (c) for sale, possession and use of fireworks is addressed in the criminal statutes of MSS 624.20 to 624.25.

Violations

1. If the violation involves explosive fireworks in an amount of 35 pounds gross container weight or more, to imprisonment for not more than one year, or to payment of a fine of not more than \$3000, or both;
2. If the violation involves explosive fireworks in an amount of less than 35 pounds gross container weight, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$700, or both; and
3. If the violation involves any amount of fireworks other than explosive fireworks, to imprisonment for not more than 90 days, or to payment of a fine of not more than \$700, or both.